

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

**CHAMBERS OF  
KENT A. JORDAN  
DISTRICT JUDGE**

**LOCKBOX 10  
844 KING STREET  
U.S. COURTHOUSE  
WILMINGTON, DELAWARE 19801**

**Guidelines: Legal Expert Testimony in Patent Cases**

In all patent jury trials, the court shows the video “An Introduction to the Patent System” to the jurors in connection with its preliminary jury instructions. The 18 minute video is distributed by the Federal Judicial Center and provides jurors with an overview of patent rights in the United States, patent office procedure and the contents of a patent. Expert testimony from attorneys regarding patent practice and procedure is not required and will not be permitted, except, perhaps, in the case of truly extraordinary circumstances.

“Expert” legal testimony (as opposed to technical testimony) on such substantive issues as invalidity (by anticipation, obviousness, on-sale bar, prior conception, etc.) and claim construction and infringement, will not be admitted, as descriptions of the law and instructions on the law are matters for the court.